

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 28**

CYNTHIA THOMAS

Case No. 28-CA-186022

and

**MGM GRAND HOTEL, LLC D/B/A
MGM GRAND HOTEL AND CASINO**

**MGM GRAND HOTEL, LLC D/B/A MGM GRAND HOTEL AND CASINO'S
REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

The General Counsel opposes Respondent MGM Grand Hotel, LLC d/b/a MGM Grand Hotel and Casino's (hereinafter referred to as "Respondent" or "MGM"), Motion for Summary Judgment on only three grounds, none of which have merit.

First, the General Counsel is mistaken that MGM's service was defective. While the Certificate of Service originally attached to MGM's Motion for Summary Judgment (dated January 15, 2019) erroneously listed only the Regional Director while omitting Cynthia Thomas, MGM did in fact properly serve Ms. Thomas on that date via U.S. Mail. MGM's counsel did not become aware of the inaccuracy in the Certificate of Service until the filing of the General Counsel's Opposition. On January 18, 2019, MGM served an Amended Certificate of Service accurately reflecting the service which had already occurred on January 15, 2019 when the Motion was initially served. Exhibit 1. Accordingly, service was not defective, and need not be cured.

The General Counsel's second and third arguments (that there are genuine issues of material fact precluding summary judgment and that deferral is inappropriate based on alleged arbitrator bias) are sufficiently addressed by MGM's initial Motion for Summary Judgment, and MGM submits its argument based on the briefings that have been filed.

Dated: January 29, 2019

Respectfully submitted,
JACKSON LEWIS P.C.

/s/ Paul T. Trimmer
Paul T. Trimmer
3800 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 921-2460

*Counsel for Respondent MGM GRAND
Hotel, LLC d/b/a MGM Grand Hotel and
Casino*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on 29th day of January, 2019, I caused to be served via the NLRB's electronic filing system and via U.S. Mail, a true and correct copy of **MGM GRAND HOTEL, LLC D/B/A MGM GRAND HOTEL AND CASINO'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**, properly addressed to the following:

Mr. Cornele A. Overstreet
Regional Director
National Labor Relations Board
Region 28
2600 N. Central Avenue, Suite 1400
Phoenix, Arizona 85004-3019

Cynthia Thomas
6076 Alpine Estates Circle
Las Vegas, Nevada 89149

/s/ Emily Santiago
Emily Santiago

EXHIBIT 1

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**MGM GRAND HOTEL, LLC D/B/A
MGM GRAND HOTEL AND CASINO**

AMENDED CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on 15th day of January, 2019, I caused to be served via the NLRB's electronic filing system and via U.S. Mail, a true and correct copy of **MGM GRAND HOTEL, LLC D/B/A MGM GRAND HOTEL AND CASINO'S MOTION FOR SUMMARY JUDGMENT**, properly addressed to the following:

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Regional Director
National Labor Relations Board
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2600 N. Central Avenue, Suite 1400
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Cynthia Thomas
6076 Alpine Estates Circle
Las Vegas, Nevada 89149

/s/ Emily Santiago
Emily Santiago